

## **REMARKS**

Claims 1, 3-6, 8-12, 14-15, 32, and 34-35 are pending. By this Response, claims 1, 6, 8, 12, 14 and 32 are amended; claims 2, 7, 13, 16-31 and 33 are canceled, and claims 34-35 are new. No new matter has been added by the claim amendments. In view of the foregoing amendments and following remarks, Applicants respectfully request reconsideration and allowance of the application.

### **35 U.S.C. § 112 CLAIM REJECTION**

Claim 31 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter of the invention. By this Response, claim 31 is canceled, making the rejection moot.

### **JOHNSON 35 U.S.C. § 102 CLAIM REJECTIONS**

Claims 1-4, 6-10, 12-16, 18-24, 26, 27, 29 and 31 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,615,408 to Johnson *et al.* (Johnson). The Applicants traverse.

Consider claim 1. Claim 1 has been amended to recite, in part:

...responsive to received customer information...**determining, from among several credit information services** external to the credit management system, **an external credit information service to contact...**

**...calculating an internal credit score based upon said external credit scoring information and parameters stored in association with said customer group...**

Support for the claim amendment may be found, for example, in paragraph 0041 of the specification.

Johnson does not disclose determining which external credit information service to contact based on received customer information. Johnson merely discusses a credit interface, **133**, interposed between a single credit bureau, **135**, and a credit risk manager, **131**, which

allows for the retrieval of a credit score from credit bureau **135** (Col. 8, lines 39-59 and Fig. 1B). Unlike the instant claim, Johnson demonstrates no appreciation for **determining which external credit information service to contact**, nor for the **determining of the external credit information service to contact being based upon received customer information**. Furthermore, Johnson does not disclose calculating an internal credit score based upon an external score and other parameters. Johnson merely obtains and stores an external credit score (Col. 9, lines 37-40), compares the most recent external credit score to a previously stored external credit score (Col. 9, lines 41-43), and adjusts a customer's credit limits in accordance with the results of the comparison (Col. 9, lines 43-62). Unlike the instant claim, Johnson demonstrates no appreciation for **calculating an internal credit score** upon which to base a customer credit limit, nor for the **calculation of an internal credit score being based upon an external credit score and other parameters associate with a customer group**. By allowing for a determination of which external credit service to contact and by allowing for a calculation of an internal credit score based on parameters associate with an assigned group, the instant claim provides the advantage of a **flexible** means for calculating a customer's credit worthiness according to **internal regulations and policies**. For at least the foregoing reasons claim 1 defines over Johnson.

Independent claims 6 and 12, like claim 1, also recite, in part, "determining, from among several credit information services external to the credit management system, an external credit information service to contact", and like claim 1, claims 6 and 12 calculate, based upon an external credit score and parameters associate with a customer group, an internal credit score. Therefore, for reasons similar to those regarding claim 1, independent claims 6 and 12 also define over the cited art.

Claims 3-4 depend from claim 1, while claims 8-10 depend from claim 6, and claims 14-15 depend from claim 12. Therefore, claims 3-4, 8-10 and 14-15 also define patentable subject matter. Claims 2, 7, 13, 16, 18-24, 26, 27, 29 and 31 have been canceled, making the rejection of these claims moot.

### **PILLAY 35 U.S.C. § 102 CLAIM REJECTIONS**

Claims 32 and 33 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0042763 A1 by Pillay *et al.* (Pillay). The Applicants traverse.

Consider claim 32. Claim 32 has been amended to recite, in part:

**generating a list of critical customers** based on the customer risk/benefit scoring;

**generating a list of suspicious customers** based on the customer behavior scoring;

**generating a customer credit checklist** from a predetermined percentage of the customers reported by the accounts receivable system, a predetermined percentage of the customers reported by the billing system, the list of critical customers and the list of suspicious customers.

Support for the claim amendment may be found, for example, in paragraphs 0047, 0035 and 0038 of the specification.

Pillay does not disclose **generating lists** of customers upon which **to conduct credit checks**. Pillay merely discusses a system which receives a request for credit information regarding a customer, processes the request and returns a credit report on the customer (Paragraph 0012). Unlike instant claim 32, Pillay does not generate a list of customers of any kind, much less generate a list of a sub-set customers upon which credit checks are to be performed. The instant claim provides the advantage of dynamic lists of sub-sets of customers upon which to conduct credit checks and monitoring based on internal credit policy and regulations, as opposed merely conducting credit checks on all customers after an elapsed period of time. For at least the foregoing reason claim 32 defines over Pillay.

Claim 33 is canceled, making its rejection moot.

### **35 U.S.C. § 103 CLAIM REJECTIONS**

Claims 5 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,615,408 to Johnson *et al.* (Johnson) in view of U.S. Patent No. 7,231,202 B2 to Natsuno (Natsuno). The Applicants traverse.

Claim 5 depends from claim 1, and claim 11 depends from claim 6. The defects of Johnson, already discussed with regard to claims 1 and 6, are not cured by Natsuno. Natsuno merely discusses a mobile communication device which communicates with financial institutions' servers, whereby the functionality of a credit card may be enable and disabled (Abstract, claim1), and whereby a user may conduct various credit card transactions (Col. 10, lines 1-13). Natsuno does not disclose determining which external credit information service to contact. In Natsuno, the user of the mobile device is required to select the identity of a credit card company in order to perform a transaction (Col. 11, lines 44-49, Col. 18, lines 48-53, Figs. 12A, 13D, 14A and 15B.). Furthermore, Natsuno does not disclose calculating an internal credit score. In Natsuno credit card approval determination are made external to the invention by the credit card companies (Col. 12, lines 42-45). For at least the foregoing reasons claims 1 and 6 define over Johnson and Natsuno. Therefore, as dependent claims of claims 1 and 6, claims 5 and 11 also define patentable subject matter.

Claims 17, 25, 28 and 30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,615,408 to Johnson *et al.* (Johnson). Claims 17, 25, 28 and 30 are canceled, making the rejection of these claims moot.

### **35 U.S.C. § 101 DOUBLE PATENTING CLAIM REJECTIONS**

Claims 1-21 and 26-33 are provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as in claims 1-29 of copending Application No. 10/766,863. Claims 2, 7, 13, 16-21, 26-31 and 33 are canceled, making the rejection with respect to these claims moot.

Regarding claims 1, 3-6, 8-12, 14-15 and 32, because this provisional double patenting rejection is based on a co-pending application for which no patent has issued, no terminal disclaimer is necessary at this time. Applicants request that this rejection be held in abeyance until such time as allowable subject matter is identified in the present application.

### **NEW CLAIMS**

Claims 34-35 are new. No new matter has been added by the addition of claims 34-35. Support for the new claims may be found, for example, in paragraphs 41 and 42 of the

specification. Claims 34-35 depend from claim 1, and, as previously discussed, claim 1 defines over the cited art. Therefore, claims 34-35 also define patentable subject matter.

**CONCLUSION**

The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss any matter concerning this application.

Applicants do not believe that any additional fees are required in connection with this submission. Nonetheless, Applicants authorize payment of any additional fees under 37 CFR §§ 1.16 or 1.17 or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,

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